

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of Decision: 11.02.2020

1.

CWP No.22477 of 2015

Smt. Sunita Kumari and others

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

2.

CWP No.25117 of 2015

Anju Rani

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. Sandeep Parkash Chahar, Advocate,
and Mr. Surenderr Pal, Advocate,
for the petitioner(s).

Mr. Randhir Singh, Advocate,
for respondent-State.

Mr. Saurabh Goel, Advocate,
for respondent Nos. 4 to 6.

RITU BAHRI, J. (ORAL)

This order shall dispose of CWP No.22477 of 2015 and CWP No.25117 of 2015 together as common questions of law and facts are involved in both the petitions. For reference, facts are being taken from CWP No.22477 of 2015.

Petitioners are seeking quashing of the order dated 14.01.2015 (Annexure P-14), whereby their services have been terminated by closing all Bachpanshalas in the State of Haryana.

Grievance of the petitioners is that out of 619 Bachpanshalas, 480 have been taken over by the Women & Child Development Department and rest 139 have been closed. Prayer of the petitioners is that they should be absorbed in the Women & Child Development Department.

Upon notice, reply on behalf of respondent Nos.1, 2 and 5 has been filed, wherein they have taken a stand that the petitioners have been working as volunteers in the Bachpanshalas, which were being run by the Sarva Shiksha Abhiyan and as per the policy of Government of Haryana, some Bachpanshalas have been merged in the Anganwaris. Along with the reply, respondents have placed on record copy of letter dated 05.02.2011 (Annexure R-I), whereby 480 Bachpanshalas being run by the School Education Department, were transferred to Women & Child Development Department, Haryana. Subsequently, vide letter dated 06.05.2011 (Annexure R-II), all the Programme Officers were directed to take the control of only approved and eligible Bachpanshalas along with their assets from District Elementary Education Officer/Block Elementary Education Officer. Thereafter, vide instructions dated 08.03.2013 (Annexure R-III), similar directions were issued to the Programme Officers in the State of Haryana. It is further stated that one Smt. Renu had filed CWP No.2010 of 2015 before this Court, which was rendered infructuous on 07.09.2015, as she was absorbed in the Anganwari Centre because there was sanctioned post of Anganwari worker in the same ward and the process of appointment had been started much prior to termination of the post. With respect to the

case of present petitioners, it is stated that neither any new Anganwari Center was sanctioned nor any post of Anganwari Worker/Helper was vacant in Anganwari Centre, situated in the village/ward, where the petitioners deliver their honorarium services in the concerned Bachpanshalas. Hence, the petitioners cannot claim parity with Smt. Renu (petitioner in CWP No.2010 of 2015).

No replication has been filed by the petitioners to show that when the Bachpanshalas were taken over by the Women & Child Development Department, any post of Anganwari Worker was lying vacant. This petition was filed in the year 2015 and almost five years have gone by.

At this stage, no direction can be given to absorb the petitioners.

Resultantly, finding no merits, both the petitions i.e. CWP No.22477 of 2015 and CWP No.25117 of 2015 are dismissed.

(RITU BAHRI)
JUDGE

11.02.2020
ajp

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No